

Amendments to House Bill No. 136
1st Reading Copy

Requested by Representative Mike Milburn

For the House Appropriations Committee

Prepared by David Niss
January 16, 2007 (7:24am)

1. Title, line 7.

Strike: "AN"

Insert: "A STATUTORY"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "15-30-116"

Insert: "AND 17-7-502"

2. Page 2.

Following: line 22

Insert: "Section 3. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition --
requisites for validity. (1) A statutory appropriation is an
appropriation made by permanent law that authorizes spending by a
state agency without the need for a biennial legislative
appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective,
a statutory appropriation must comply with both of the following
provisions:

(a) The law containing the statutory authority must be
listed in subsection (3).

(b) The law or portion of the law making a statutory
appropriation must specifically state that a statutory
appropriation is made as provided in this section.

(3) The following laws are the only laws containing
statutory appropriations: 2-17-105; 5-11-407; 5-13-403; [section
4]; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301;
15-1-111; 15-1-113; 15-1-121; 15-23-706; 15-31-906; 15-35-108;
15-36-332; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 15-70-369;
15-70-601; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241;
17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410;
19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506;
19-20-604; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004;
23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306;
23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501;
39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102;
50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115;

61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 7, Ch. 314, L. 2005, the inclusion of 23-4-105, 23-4-202, 23-4-204, 23-4-302, and 23-4-304 becomes effective July 1, 2007; and pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010.)"

{ Internal References to 17-7-502:

2-17-105X	5-11-407X	5-13-403X	10-2-603X
10-3-203X	10-3-310X	10-3-312X	10-3-312X
10-3-314X	10-4-301X	15-1-111X	15-1-113X
15-1-121X	15-23-706X	15-31-906X	15-35-108X
15-36-332X	15-37-117X	15-38-202X	15-38-202X
15-65-121X	15-65-121X	15-70-101X	15-70-369X
15-70-601X	16-11-509X	17-1-508X	17-3-106X
17-3-212X	17-3-222X	17-3-241X	17-6-101X
17-7-304X	17-7-501X	18-11-112X	19-3-319X
19-6-404X	19-6-410X	19-9-702X	19-13-604X
19-17-301X	19-18-512X	19-19-305X	19-19-506X
19-20-604X	20-8-107X	20-9-534X	20-9-622X
20-26-1503X	22-3-1004X	23-4-105X	23-4-202X
23-4-204X	23-4-302X	23-4-304X	23-5-306X
23-5-409X	23-5-612X	23-7-301X	23-7-402X
37-43-204X	37-51-501X	39-71-503X	41-5-2011X
42-2-105X	44-1-504X	44-12-206X	44-13-102X
50-4-623X	53-1-109X	53-6-703X	53-24-108X
53-24-108X	53-24-206X	60-11-115X	61-3-415X
69-3-870X	75-1-1101X	75-5-1108X	75-6-214X
75-10-622X	75-11-313X	77-2-362X	80-2-222X
80-4-416X	80-5-510X	80-11-518X	82-11-161X
87-1-513X	90-1-115X	90-1-115X	90-1-205X
90-3-1003X	90-9-306X		

Renumber: subsequent sections

3. Page 2, line 24 through line 25.

Strike: section 3 in its entirety

Insert: "NEW SECTION. Section 4. Statutory appropriation. The payment to a beneficiary certified pursuant to [section 1] is statutorily appropriated, as provided in 17-7-502, from the general fund to the department of administration."

4. Page 2, line 27.

Strike: "[Section 1] is"

Insert: "[Sections 1 and 4] are"

5. Page 2, line 28.

Strike: "[section 1]"

Insert: "[sections 1 and 4]"

- END -